

Serial No. : 10/623,269
Filed : July 19, 2003

REMARKS

In the Office Action, the examiner rejected claims 9-14 under 35 U.S.C. 102(b) as being anticipated by cited Guguin (U.S. Patent No. 5,803,545). Accordingly, the applicant has amended claim 9 to clarify the feature of the present invention. Namely, the feature of claim 9 includes the limitations, among others, that the backrest is adjustable independently of the seat from the front position up to the specific angle of inclination at which the catch member comes into operative contact with the seat in such a manner that further inclination of the backrest towards the rear brings about a simultaneous adjustment of the seat. In other words, after the catch member contacts with the seat, the present invention allows a simultaneous movement of the seat and the backrest towards the rear. Please note that the amendment in claim 9 which has add the phrase "towards the rear" is to clarify the invention, and thus, does not introduce a new issue.

The cited Guguin reference does not disclose this feature. The cited Guguin reference is directed to a chair for handicapped which permits adjustment not only to the normal seated position with intermediate positions for the backrest but also to the reclining position (prone position) and the position of the backrest and seat can be adjusted to set handicapped. In the chair according to the cited Guguin reference, the backrest 1 is inclined towards the rear from the first position shown in Fig. 1 to the second position shown in Fig. 2.

Serial No. : 10/623,269
Filed : July 19, 2003

Then, however, the backrest 1 does not perform the further inclination towards the rear, but the backrest 1 and the seat 3 are moved towards the front as shown in Fig. 3 by the reverse rotation of the motor 9. As clarified by the amendment above, in the present invention, after the catch member contacts with the seat, the seat and the backrest are further moved towards the rear simultaneously with one another. Thus, the simultaneous movement of the backrest and the seat further towards the rear is not disclosed by the cited Guguin reference.

Moreover, the subject matter of the present invention is distinguishable from the chair disclosed in the cited Guguin reference in that it comprises a catch member which comes in contact with the seat when the backrest inclines towards the rear and comes to the specific angle of inclination. The examiner is of the opinion that the catch member of the present invention corresponds to the link 7 of the chair of Guguin. However, the link 7 never comes into operative contact with the seat throughout the operation. Therefore, the cited Guguin reference does not show or suggest the catch member of the present invention.

Furthermore, the subject matter of the present invention is distinguishable from the technology disclosed by the cited Guguin reference in that the seat is supported on the frame at the rear region by a pivot axis. This is essential to the present invention to achieve the specific movement of the backrest noted above. In contrast to the present invention, in the cited Guguin, the seat is supported on the frame at the front region by a pivot axis 21.

Serial No. : 10/623,269
Filed : July 19, 2003

There is also a pivot axis 2 at the rear, but this pivot axis 2 is not supported on the frame as can be seen from Fig. 3.


As discussed above, the essential features of the present invention are not shown or suggested by the cited Guguin reference. Therefore, the applicant believes that the present invention defined in claims 9-14 are patentable over the cited Guguin reference and the rejection under 35 U.S.C. 102(b) is no longer applicable to the present invention.

In view of the foregoing, the applicant believes that Claims 9-14 are in condition for allowance, and accordingly, the applicant respectfully requests that the present application be allowed and passed to issue.

Respectfully submitted,

MURAMATSU & ASSOCIATES

Dated: 11/11/05

By: 
Yasuo Muramatsu
Registration No. 38,684
Attorney of Record
114 Pacifica, Suite 310
Irvine, CA 92618
(949) 753-1127